

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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PETER JASON HELFRICH,
Plaintiff,
v.
STATE OF NEVADA, *et al.*,
Defendants.

Case No. 2:16-cv-00312-RFB-CWH
ORDER

I. INTRODUCTION

Before the Court is Petitioner's Motion to Extend Prison Copywork Limit. ECF No. 2. For the following reasons the Court denies Petitioner's Motion.

II. BACKGROUND

Petitioner filed a Motion to Proceed in Forma Pauperis with attached Petition for a Writ of Habeas Corpus on February 16, 2016. ECF No. 1. Plaintiff also filed the Motion to Extend Paperwork on February 16, 2016. ECF No. 2. Petitioner has a pending case alleging civil rights violations against various state and prison personnel. Case No. 2:14-cv-01725-RFB-NJK. He has filed numerous motions in that case.

III. LEGAL STANDARD

There is no constitutional right to unlimited free photocopying. Johnson v. Moore, 948 F.2d 517, 521 (9th Cir. 1991). "A right of access claim other than one alleging inadequate law libraries or alternative sources of legal knowledge must be based on an actual injury." Id. Actual injury means "an instance in which an inmate was actually denied access to the courts," and

1 suffered a specific harm, rather than one that merely affects “comfort or convenience.” Sands v.
2 Lewis, 886 F.2d 1166, 1170 (9th Cir. 1989).

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4 **IV. DISCUSSION**

5 Petitioner argues that he is entitled to an order extending the copywork limit because his
6 arguments have merit, and because he requires more copywork in order to litigate his instant
7 petition. ECF No. 2 at 1. Petitioners Application for Leave to Proceed in forma pauperis—
8 including the attached 69-page Petition for a Writ of Habeas Corpus—remains under submission.
9 His case cannot proceed until it is resolved. Helfrich does not have any other pending motions in
10 this case. Helfrich makes no specific allegations as to how the copywork limit may have
11 prejudiced that petition, or how it may have caused any other actual injury. Because Petitioner
12 has not demonstrated any actual injury to his legal position, and has recently had the capacity to
13 file numerous motions in his other case, the Court denies Petitioner’s Motion.

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15 **V. CONCLUSION**

16 **IT IS HEREBY ORDERED** that Petitioner’s Motion to Extend Prison Copywork Limit
17 is DENIED.

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19 **DATED:** September 27, 2016.

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22 **RICHARD F. BOULWARE, II**
23 **UNITED STATES DISTRICT JUDGE**
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